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## PATENT APPLICATION

Attorney Docket No. 960067.CON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Paul D. Lusk et al  
S. N. : 09/673,230  
Filed : April 14, 1999  
For : DINITROTOLUENE (DNT)-FREE  
SINGLE BASE PROPELLANT

November 19, 2001

Art Unit

FAX RECEIVED

NOV 19 2001

PETITIONS OFFICE

TRANSMITTAL LETTER FOR PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION FOR PATENT PURSUANT TO 37 CFR 1.137(b)

ATTENTION: OFFICE OF PETITIONS  
ASSISTANT COMMISSIONER FOR PATENTS  
BOX DAC  
Washington, D. C. 20231

RECEIVED  
07 JUN 2002  
Legal Staff  
International Division

Dear Sir:

Submitted herewith please find a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), a copy of the Notification of Missing Requirements Under 35 U.S.C. 371, and an executed Combined Declaration for Patent Application and Power of Attorney.

Please charge Deposit Account No. 08-1265 in the amount of \$1440.00 to cover the surcharge for a large entity for the late filing of the Combined Declaration and the filing fee for the Petition for Revival. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any fees or credit any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Attorneys for Applicant(s)  
Reg. No. 26,205  
820 International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402  
(612) 339-7461

Dated: November 19, 2001

Attachments

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Transmittal letter, Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), a copy of the Notification of Missing Requirements Under 35 U.S.C. 371, and an executed Combined Declaration for Patent Application and Power of Attorney in application Serial No. 09/673,230, filed on April 14, 1999, of Paul D. Lusk et al., entitled "DINITROTOLUENE (DNT)-FREE SINGLE BASED PROPELLANT", are being sent by facsimile transmission to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 19, 2001.



Barbara L. Davis  
On behalf of C. G. Mersereau

Date of Signature: November 19, 2001



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231



|                      |                       |                  |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/673230            | LUSK                  | P 960067.ORI     |

NIKOLAI MERSEREAU & DIETZ  
SUITE 820  
900 SECOND AVENUE SOUTH  
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|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/US99/07737                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 14 APR 99                     | 14 APR 98     |
| DATE OF PCT/DO/EO/917         |               |
| 27 OCT 2002                   |               |

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$160 \_\_\_\_\_ as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

John Anderson

Telephone: 703-308-9116

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PETITIONS OFFICE

*Missing Parts  
Nov. 27, 2000  
SBO  
1/6/00*

Best Available Copy